

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 4924 OF 1986

WITH

SPECIAL CIVIL APPLICATION NOS. 5705/86, 5931/86 & 324/87

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

V M PATEL

Versus

STATE OF GUJARAT

Appearance:

In Special Civil Application No. 4924/86, 5705/86
and 5931/86.

MR SM MAZGAOKAR, for Petitioners
MR HL JANI, for respondents.

In Special Civil Application NO. 324/87.

MR DM THAKKAR, for the petitioner
MR HL JANI, for the respondents.

COMMON ORAL JUDGEMENT

Learned Counsel for the petitioners of these special civil applications made a submission that the seniority dispute of the agricultural supervisor of the department has been referred for adjudication to the High Power Committee constituted by the State Government while disposing of Special Civil Applications Nos. 247/83 and 830/88 decided on 11-11-1997 and the disputes raised in these special civil applications depend on the ultimate decision given in the matter of seniority. Otherwise also I find that the dispute of the nature has been raised by the petitioners in these special civil applications has to be firstly decided either by providing right of appeal to the employees before the Service Tribunal or by some redressal forum at Gandhinagar. As the seniority dispute matters of the agricultural supervisor have been sent for decision by this Court before the High Power Committee to be constituted by the State Government, I consider it to be proper to send these matters also before the said Committee for decision on the grievances of the petitioners made in these petitions. However, till these matters are decided by the High Power Committee interim relief granted by this Court shall continue. The copy of the order passed in this Court in Special Civil Application Nos. 247/83 and 830/88 decided on 11-11-1997 be put on the file of these special civil applications and the copy of the same also be sent along with the writ of these matters to the respondents.

2. The respondents and the State Government are directed to place these matters for decision before the High Power Committee constituted by this Court under the order as aforesaid. In case the grievances of the petitioners are accepted then they shall be entitled to the consequential benefits. The grievances of the petitioners are not redressed then a reasoned order may be passed and the copy of the same may be sent to the petitioners by R.P.A.D. Liberty to the petitioners in case of difficulty for reviving these special civil applications.